

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

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12042 Agenda

PSC LISTS AGENDA FOR THURSDAY, JUNE 14, 2012

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

- VIDEOCASTING TO COMMISSION'S NEW YORK CITY OFFICES ALSO AVAILABLE -

Albany, NY – 06/08/12 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, June 14, 2012, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

Individuals in New York City wishing to view the Commission's meeting may do so in the Board Room on the 4th floor of the Commission's offices at 90 Church Street, New York City. The videocasting will be for viewing and listening purposes only. Pursuant to procedures established by the building management, anyone planning to observe the meeting in the New York City Board Room must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.

In addition to the video broadcasting of the meeting in the Commission's New York City offices, the meeting will be broadcast live on the Internet. The Internet broadcast can be viewed by accessing <http://nydps.onlinevideoservice.com>.

The viewing quality of a live webcast can be adversely affected by various factors including, but not limited to, Internet bandwidth limitations, Internet network congestion, and the configurations and settings on a computer used to view the webcast. If you experience problems viewing a live webcast, you may view it at a later time by accessing an archived copy of the webcast. Archives are available on the Department Web site within two business days after the meeting.

The agenda is divided into two sections. The Consent Agenda consists of items that because of their nature, can be decided by the Commission on the basis of written reviews and analyses previously made available to the Commission and do not require discussion. Any item on the Consent Agenda can be transferred to the Regular Agenda if discussion is required.

The Regular Agenda consists of items that, by their nature, appear to be best resolved through discussion of matters covered by written reviews and analyses, also available to the Commissioners in advance of the meeting. All Commission meetings are open to the public. However, since adequate forums are available for public participation in cases before the Commission there will be no opportunity for the public to address the Commission. The agenda attached to this announcement is complete at the time of issue, but other items may be added and some agenda items may be removed without further notice.

Persons with disabilities who require a sign language interpreter or other special accommodations should call the Department of Public Service's Human Resources Management office at 518- 474-2520. TTD users may call this number through the New York Relay Service at 1-800-662-1220 or have a representative call directly to the office.

All public documents that have been filed or issued before today's date are available for inspection in the Files Unit on the 14th floor of the Albany offices, or by faxing a request for copies to (518) 474-9842 using a Billing Information Form, available in that office or by calling (518) 474-2500. Copies of notices or other material relating to pending Commission actions may be obtained by calling the Department's Operations Section at (518) 474-2500. Copies may be obtained from Central Files when they become available by calling (518) 474-2500.

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, July12, 2012, in Albany, New York.**

The agenda for the June 14, 2012 meeting is attached.

CONSENT AGENDA

This agenda consists of items that, by their nature, can be decided by the Commission on the basis of written reviews and analyses previously made available to the Commissioners and do not require discussion at the Session.

All items will be considered together at the start of the session.

Item PSC Case

GAS

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|-------|-----------|---|
| 161 | 12-G-0165 | DR. FLORINDO VOLPACCHIO/MS. ANGIE CAICEDO ANTON and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing Petition of Commission Designee Determination. |
| 162 | 12-G-0186 | WILLIAM VELI CONTRACTING/KEYSPAN ENERGY OF LONG ISLAND. |
| | 12-G-0223 | MAJOR SEWER & WATER CONTRACTORS INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 12-G-0224 | MARLY BUILDING MATERIALS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| | 12-G-0225 | BOB TALHAM, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| | 12-G-0226 | GUARCELLO'S, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION. |
| | 12-G-0227 | M. METROS BUILDERS INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION. |
| | 12-G-0229 | RIZZO CONSTRUCTION COMPANY, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION. |
| | 12-G-0230 | SCHODACK TRUCKING & SEPTIC, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID. |
| | 12-G-0231 | EASTPORT EXCAVATION & UTILITIES INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY. |
| | 12-G-0232 | KEITH OTTENS/NEW YORK STATE ELECTRIC & GAS CORPORATION. |
| | 12-G-0233 | R.J. INDUSTRIES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| 163-A | 09-G-0252 | CORNING NATURAL GAS CORPORATION - Petition for a Certificate of Public Convenience and Necessity to Exercise a Gas Franchise in the Town of Virgil, County of Cortland. - Petition to Amend |

its Certificate of Public Convenience and Necessity.

- 164-B 09-G-0252 CORNING NATURAL GAS CORPORATION - Petition for a Certificate of Public Convenience and Necessity to Exercise a Gas Franchise in the Town of Virgil, County of Cortland. - Settlement Agreement.
- 164 12-G-0193 NORSE ENERGY CORP. USA - Petition for a Waiver of the Requirements of 16 NYCRR, §255.625 Regarding Odorization of Natural Gas over a 2.3-mile section of Pipeline in New York State.
- 165 11-G-0358 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Petition Under Section 31 of the Public Service Law with Respect to the Application for Natural Gas Service by the Broad Channel Civic Association.
- 166 08-G-1398 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service. - Petition to Replace the Customer Survey Included in its Customer Service Performance Incentive Mechanism.
- 167 12-T-0114 NORSE ENERGY CORP. USA and EMKEY RESOURCES, LLC - Joint Petition for Approval to Transfer Two Article VII Certificates.
- 168 12-G-0221 TALISMAN ENERGY USA, F/K/A FORTUNA ENERGY, INC. - In the Matter of the Investigation as to Whether a Penalty Should Be Imposed on Violations of an Order or Regulation Adopted Under the Authority of the Public Service Law Requiring that Natural Gas Be Odorized.
- 169 11-T-0462 Application of Niagara Mohawk Power Corporation for a Certificate of Environmental Compatibility and Public Need to Construct Approximately 4 Miles of 12-inch Diameter Steel Gas Transmission Line in the Towns of Ballston and Malta, Saratoga County.

GENERAL

- 261 11-M-0294 In the Matter of the Filing of Annual Reports by Electric and Gas Corporations Subject to Lightened Ratemaking Regulation.
- 262 10-G-0089 MR. ROBERT WILLIAMS/MS. GLYNIS JACKSON and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.

- 10-G-0327 571 EAST 141ST STREET REALTY CORP and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 10-E-0465 TEARDROPS OF ELEGANCE and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 263 08-G-1369 C. I. SITE 4A-1 HOUSES, INC. / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - Appeal of an Informal Decision.
- 09-C-0524 TOWN OF MAMARONECK / BROADVIEW NETWORKS - Appeal of an Informal Decision.
- 12-E-0109 MRS. BELLA GOLDBERGER / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of an Informal Decision.

POWER

- 361 11-E-0526 MR. AND MRS. JOHN UCIECHOWSKI/NEW YORK STATE ELECTRIC & GAS CORPORATION - Appeal of Informal Hearing Decision.
- 362 09-E-0428 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC No. 10 - Electricity, eff. 4/1/12 on a temporary basis, to revise its electric rates, charges, rules and regulations for Rate Year 3 in compliance with Commission Orders issued 3/26/10 and 3/22/12.
- 12-E-0008 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC No. 12 - Electricity, eff. 4/1/12, on a temporary basis, to revise its electric rates, charges, rules and regulations for Rate Year 3 in compliance with Commission Orders issued 3/26/10 and 3/22/12.
- 363 11-E-0176 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 220-Electricity, eff. 7/1/12, to revise the notice period for commencement of the Recharge New York Program from 60 day's notice to 30 day's notice.
- 364 12-E-0035 MR. PAUL FARINELLA/CONSOLIDATED EDISON OF NEW YORK, INC. - Appeal of an Informal Decision.

- 365 09-E-0535 MR. AND MRS. HENRY D. OSTBERG/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Appeal Determination.
- 366 12-E-0209 GDF SUEZ S.A., INTERNATIONAL POWER PLC, ASTORIA ENERGY LLC, ASTORIA ENERGY II LLC and SYRACUSE ENERGY CORPORATION - Joint Petition for a Declaratory Ruling Regarding Change in Ownership Interest or, in the Alternative, an Order Approving the Transaction.
- 367 12-E-0105 HUDSON VALLEY CLEAN ENERGY, INC. - Petition for an Order Requiring New York State Electric & Gas Corporation to Modify its Tariffs for the Net Metering of Residential Solar Generation Facilities.
- 368 11-E-0709 UNITED SUITES AT WASHINGTON SQUARE, LLC - Petition to Submeter Electricity at 107 Washington Avenue, Schenectady, New York, Located in the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- 369 12-E-0009 BANNER AVENUE APARTMENTS LLC - Petition to Submeter Electricity at 1125 Banner Avenue and 2450 East 12th Street, Brooklyn New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 370 12-E-0021 CITYSTATION SOUTH, LLC - Petition to Submeter Electricity at 124 Ferry Street, Troy, New York, Located in the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- 371 98-M-1343 In the Matter of Retail Access Business Rules. - Petitions by TransCanada Power Marketing, Ltd. and Small Marketers Coalition for Rehearing and Clarification.
- 372 There is no item 372.
- 373 10-T-0080 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Construction of a New 115kV Electric Transmission Line from Spier Falls, Saratoga County to Rotterdam, Schenectady County.

374 11-E-0176 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC 10-Electricity, eff. 6/20/12, to revise the priority of benefits under General Rule 11-billing applicable to service under certain economic development programs.

375 11-E-0379 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Approval to Transfer Certain Real Property in the Town of Amherst Pursuant to Section 70 of the Public Service Law.

376 There is no item 376.

377 11-E-0176 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to revise its electric tariff schedules so that certain bundled service contract or power sales agreement customers will continue to receive uninterrupted economic development power.

ORANGE AND ROCKLAND UTILITIES, INC. - Tariff filing to revise its electric tariff schedules so that certain bundled service contract or power sales agreement customers will continue to receive uninterrupted economic development power.

NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff filing to revise its electric tariff schedules so that certain Power for Jobs customers will continue to receive uninterrupted economic development power.

WATER

461 10-W-0652 AQUA NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations.

462 12-W-0148 SARATOGA WATER SERVICES, INC., THOMAS P. DEVENO and THOMAS J. FARONE - Joint Petition for a Declaratory Ruling Concerning the Provision of Water Service to a Proposed Project in the Town of Malta, Saratoga County.

463 12-W-0137 SARATOGA WATER SERVICES, INC., and MALTA LAND COMPANY, LLC - Joint Petition for a Declaratory Ruling Concerning the Provision of Water Service to a Proposed Project in the Town of Malta, Saratoga County.

464 12-W-0159 UNITED WATER NEW YORK INC. - Petition for Proposed Issuance of

up to \$30,000,000 of Promissory Notes.

- 465 There is no item 465.
- 466 11-W-0648 SARATOGA WATER SERVICES, INC. - Petition Pursuant to Public Service Law, Section 89-h, for Authority to Transfer and Sell Real Property.
- 467 11-W-0604 PABST WATER COMPANY, INC. - Amendments to PSC No. 3 - Water, postponed from 4/1/12 and eff. 7/1/12, to increase its residential customers' annual charge from \$463.20 to \$530.97 per year or 14.6%, which it estimates will increase its annual revenues by about \$4,531 and to establish a \$20 customer surcharge per billing period.

COMMUNICATIONS

No items will be considered on this agenda.

CABLE

- 661 Renewals of Cable Television Franchises:
- 12-V-0032 TIME WARNER CABLE/TOWN OF THERESA, JEFFERSON COUNTY.
- 12-V-0027 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF POTSDAM, ST. LAWRENCE COUNTY.
- 12-V-0028 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF MOOERS, CLINTON COUNTY.
- 12-V-0029 TIME WARNER CABLE/VILLAGE OF ILION OF HERKIMER COUNTY, NEW YORK.
- 12-V-0034 MID-TEL CABLE TV, INC./TOWN OF SCHOHARIE, OF SCHOHARIE COUNTY NEW YORK.
- 12-V-0042 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/VILLAGE OF OXFORD, CHENANGO COUNTY.
- 12-V-0139 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE/VILLAGE OF WALTON, DELAWARE COUNTY.
- 12-V-0152 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF UPPER BROOKVILLE, NASSAU COUNTY.
- 12-V-0153 CABLEVISION SYSTEMS EAST HAMPTON CORP./VILLAGE OF EAST HAMPTON, SUFFOLK COUNTY.

- 12-V-0167 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF COLONIE, ALBANY COUNTY.
- 662 12-V-0135 TIME WARNER CABLE - Petition Pursuant to 16 NYCRR 897.4 for Internal Restructuring from Time Warner Entertainment Company, L.P. and Time Warner NY Cable LLC to Time Warner Cable New York City LLC.
- 663 12-V-0134 TIME WARNER CABLE - Petition Pursuant to 16 NYCRR 897.4 for Internal Restructuring from Time Warner Entertainment-Advance/Newhouse Partnership and Time Warner NY Cable to Time Warner Cable Northeast LLC.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

- 101 There is no item 101.
- 102 12-G-0222 In the Matter of Staff's Analysis of Local Distribution Company Safety Performance and Performance Measures. - 2011 Gas Safety Performance Measures Report.

GENERAL

Presentation – Overview of Rate Filing

- 12-E-0201 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations to Increase the Annual Revenues by \$130.7 million or 6.9% for Electric Service.
- 12-G-0202 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations to Increase the Annual Revenues by \$39.8 million or 15.3% for Gas Service.
- 12-M-0192 Presentation – Overview of Acquisition Proposal
- FORTIS INC. ET AL. and CH ENERGY GROUP, INC. - Joint Petition for Approval of the Acquisition of CH Energy Group, Inc. by Fortis Inc. and Related Transactions.

201 There is no item 201.

202 There is no item 202.

- 203 12-M-0170 In the Matter of Energy Utility Customer Service Quality. - Staff Report on 2011 Energy Utility Service Quality Performance.

POWER

- 301 11-E-0408 ORANGE AND ROCKLAND UTILITIES, INC. - Amendments to PSC 2-Electricity, eff. 8/28/11, suspended through 6/25/12, to increase revenues for the rate year ending June 30, 2013 by \$17.7 million; a 7.3% increase in delivery revenues or about a 3.1% increase on a total bill

basis.

WATER

No items will be considered on this agenda.

COMMUNICATION

No items will be considered on this agenda.

CABLE

No items will be considered on this agenda.

KEY TO ABBREVIATIONS:

* – Item was on calendar of previous meeting

+ – Notice required by State Administrative Procedure Act (SAPA)

A – Special Permit Order (spo) to be issued

16NYCRR – Commission regulation published in Vol. 16, NYS Codes, Rules and Regulations

ALJ – Administrative Law Judge

NOI – Notice of Intention

EM&CP – Environmental Management & Construction Plan

V – Village T – Town C – City Co – County